IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14350 of 2004

Between:

Mr. Md. Kaleem, S/o. Md. Ibrahim,

Muslim, R/o.1-4-47/A, Bowenpally,

INA, Secunderabad.

..... PETITIONER

AND

1 The Registering Authority,

Transport Department,
Government of Andhra Pradesh,

Secunderabad.
2 The Motor Vehicle Inspector,

R.T.A., Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or direction or an order more particularly in the nature of a Writ of Mandamus declaring the action of the second respondent in seizing the vehicle bearing No. AHT-8592 as arbitrary and against the principles of natural justice and consequently release the vehicle bearing No.AHT-8592, seized under the check report No. 2603669 dated 15-7-2004, which is standing in the name of the petitioner is bad-in-law.

Counsel for the Petitioner: MR.VENKATESWARLU POTHAPRAGADA

Counsel for the Respondents1 & 2: G.P. FOR TRANSPORT

The Court made the following:

ORDER:

The petitioner is the owner of the vehicle, which was seized by the second respondent after making a check on 15-07-2004 and a check report was issued to the petitioner. The petitioner's counsel represents that the petitioner approached the first respondent and made an oral request for release of the vehicle, but the first respondent did not release the vehicle. Therefore, he approached this Court seeking a direction to the first respondent to release the vehicle. The allegation is that the vehicle is more than 15 years old. No permit is in force as on the date of check and he failed to produce the necessary documents relating to the vehicle.

In the light of the above circumstances, the petitioner is directed to produce the relevant documents before the first respondent and on production of such documents and after hearing the petitioner, the first respondent shall pass appropriate orders according to law.

The writ petition is accordingly disposed of. No costs.

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Dr.G.Yethirajulu, J

13th August, 2004

Note: Issue CC in two days

B/o.

lsn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Registering Authority,

Transport Department, Government of Andhra Pradesh,

Secunderabad.

2 The Motor Vehicle Inspector,

R.T.A., Hyderabad.

3. Two CCs to the G.P. for Transport, High Court Buildings, Hyderabad (OUT).

4. Two CD copies.